**CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT**

ENDC/265
26 August 1969
Original: ENGLISH

ARGENTINA, BRAZIL, BURMA, ETHIOPIA, INDIA, MEXICO, MOROCCO, NIGERIA, PAKISTAN, SWEDEN, UNITED ARAB REPUBLIC AND YUGOSLAVIA

## Working Paper on a proposed declaration by the United Nations General Assembly regarding prohibition of the use of chemical and biological methods of warfare

The General Assembly,

Considering that chemical and biological methods of warfare have always been viewed with horror and been justly condemned by the international community;

Considering that these methods of warfare are inherently reprehensible, because their effects are often uncontrollable and unpredictable and may be injurious without distinction to combatants and non-combatants and because any use would entail a serious risk of escalation;

Recalling that successive international instruments have prohibited or sought to prevent the use of such methods of warfare;

Noting specifically in this regard

that the majority of States then in existence adhered to the Geneva Protocol of 17 June 1925,

that since then further States have become Parties to that Protocol,

that yet other States have declared that they will abide by its principles and objectives,

that these principles and objectives have commanded broad respect in the practice of States, and

that the General Assembly, without any dissenting vote, has called for the strict observance by all States of the principles and objectives of the Geneva Protocol;

Recognizing therefore, in the light of all the above circumstances, that a customary rule of international law prohibits the use in international armed conflicts of all biological and chemical methods of warfare, regardless of any technical developments;

GE.69-19315
69-19538

Mindful of the Report of the Group of Experts, appointed by the Secretary-General of the United Nations under General Assembly Resolution 2454 A (XXIII) of 20 December 1968, on chemical and bacteriological (biological) weapons and the effects of their possible use, published on 1 July 1969 (A/7575);

Considering that this Report and the Forword to it by the Secretary-General adds further urgency for an affirmation of this rule and for dispelling, for the future, any uncertainty as to its scope and, by such affirmation, to assure the effectiveness of the rule and to enable all States to demonstrate their determination to comply with the rule;

Condemns and declares as contrary to international law the use in international armed conflicts of

any chemical agents of warfare: chemical substances, whether gaseous, liquid, or solid, which might be employed because of their direct toxic effects on man, animals or plants, and

any biological agents of warfare: living organisms, whatever their nature, or infective material derived from them, which are intended to cause disease or death in man, animals or plants, and which depend for their effects on their ability to multiply in the person, animal or plant attacked.